

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

THOMAS M. SANTORA,)
Plaintiff,)
vs.) No. 05 C 6391
STARWOOD HOTEL AND RESORTS)
WORLDWIDE, INC., individually and)
d/b/a The LUXURY COLLECTION,)
individually and d/b/a/ HOTEL)
DANIELI - VENICE, and the HOTEL)
DANIELI - VENICE,)
Defendants.)

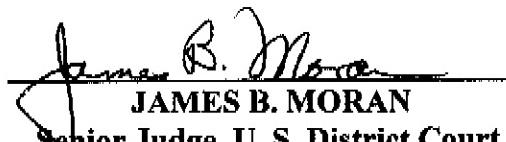
MEMORANDUM OPINION AND ORDER

When attorneys are dealing with their own money, small matters can sometimes drag on.

In this personal injury action, after some skirmishing on discovery issues, Judge Shadur granted a motion for sanctions and awarded incremental costs to defendants. Starwood Hotel and Resorts Worldwide, Inc. (Sherwood) presented a bill for \$3,432, presumably what its attorneys had billed for the designated time, which was itemized and explained. Plaintiff's counsel sent a check for \$1,508 two months later. They did not explain their rejection of most of the items, nor did they file any objections in court. That led, of course, to this motion to enforce the sanctions and a reply – further effort and expense over a disagreement about \$1,924. Starwood's additional time, as a result, is \$1,768, and it wants that amount as well.

Plaintiff's rejoinder is, primarily, that he should not have been sanctioned in the first place. But Judge Shadur entered the order, it has not been vacated, and conditioning the

appearance of a party at his deposition upon complying with the last-minute demand for records (whether or not plaintiff was previously entitled to get them) is not an appropriate course of action. Plaintiff would be well advised to comply with discovery on a timely basis, negotiate or pay, or go back into court about the amount of sanctions, and get on with the lawsuit. In the meantime, Starwood has had additional unnecessary expense and, again, we understand the amount to be what was billed the client. To bring this to an end, we direct plaintiff's counsel to pay Starwood the \$1,924, and one-half of the \$1,768, or \$884, within ten days. If it is not paid by then, the entire \$1,768 will be payable and we will consider more drastic sanctions.



JAMES B. MORAN
Senior Judge, U. S. District Court

April 24, 2007.